

**REMARKS/ARGUMENTS**

Favorable reconsideration of this application is respectfully requested.

Claims 1-18 are pending in this application. Claims 1-17 have been withdrawn from consideration. Claim 18 has been amended and Claim 19 has been added without the introduction of any new matter. Note the disclosure of the specification at page 31, lines 12-23 and page 32, lines 6-10, as to the amendment to Claim 18 for example, and new Claim 19 reads on the elected Species 10: Figs. 63-69. See Figs. 64-65 and through hole 36 between the openings formed as wider holes 16 above narrower holes 36, all as explained at page 31, lines 5-11, for example.

The outstanding Office Action presents a rejection of Claim 18 under 35 U.S.C. §102(b) as being anticipated by Alers et al. (U.S. Patent No. 6,320,244, Alers).

Before considering the outstanding art rejection, it is believed that a brief review of the present invention would be helpful. In this regard, the present invention is concerned with a method of manufacturing a capacitor having a dual purpose lower electrode that provides the lower electrode of the capacitor and serves as a contact plug filling a through hole that extends to a conductive area to be contacted. The manufacturing method is performed by creating a first opening and a second opening wider than the first opening in an insulating film so that the first opening penetrates through the insulating film to the area below the insulating film while the second opening is formed to have a bottom in the insulating film. A first metal film, a dielectric film, and a second metal film are deposited in that order above the first opening. The deposition of the first metal film is made so that this first metal film will extend into and fill the first opening so as to act as a contact plug through the first opening to the area exposed by that opening. This deposited first metal film also serves as the lower electrode of a capacitor that is also made up of the dielectric film (acting as the capacitor dielectric layer) and the second metal film (acting as an upper electrode of

the capacitor). See the above noted portions of the specification at page 31, lines 12-23 and page 32, lines 6-10, for example.

In addition, a series of openings can be made, with the first and second openings being formed as noted above while a third opening is provided that is created by the same process as the first opening and which does not communicate with a first opening that is communicating with a second opening. See the above-noted explanation at page 31, lines 5-11, of the specification, for example.

In contrast to the present invention as defined by amended Claim 18, the capacitor 24 of Alers has a capacitor lower electrode 44, a capacitor dielectric layer 46 and an upper electrode 48, 50 that all are formed to extend into a first opening 60 in an insulator (42, 40, 38) that is narrower than a second opening 56 also formed in the insulator. Clearly, there is no teaching or suggestion in Alers of forming the lower electrode 44 in a manner to meet the requirement of amended Claim 18 that would require the metal layer 44 to alone fill the first opening 60 so that the portions of layers 46, 48 and 50, taught to be in opening 60, are excluded there from so that this filled portion of the first opening 60 could be reasonably said to also be the Claim 18 required "contact plug."

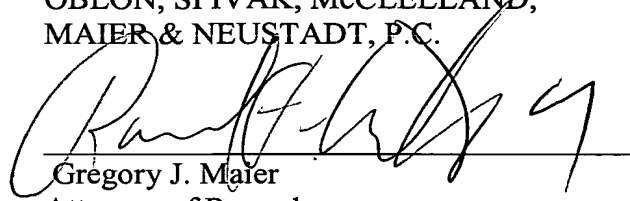
With regard to new Claim 19, it is further clear that Alers does not teach or suggest the claimed third opening that must be created using the same process as the first opening and filled with the first metal film to act as a contact plug like the first opening but that is separate from the first opening that is communicating with a second opening. Accordingly, new Claim 19 also clearly patentably defines over Alers.

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Gregory J. Maier', is written over a horizontal line.

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